



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 16, 2023

BY ECF

Honorable Colleen McMahon
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. James Cahill, 20 Cr. 521 (CM)

Dear Judge McMahon:

At the Court's request, the Government respectfully submits this letter summarizing the changes to the PSR requested by the Government. The Government requests only the following changes to the PSR of defendant James Cahill:

Paragraph 20. The quotation "Your strongest ally is me and BOBBY EGAN . . ." should read "His strongest ally, Chris, is me and Bobby Egan . . ."

Paragraph 24. The Government requests that the bribe chart at paragraph 24 be replaced with the below, which includes two inadvertently omitted bribes (on February 10 and September 30, 2020) and minor corrections to a few other bribes. The changes are highlighted below:

Date	Amount	Location	Others Present who Received Bribes
10/22/2018	\$3,000	Blackstone in Melville, Long Island	Kraft (no bribe received)
11/14/2018	\$3,000	Park Side in Corona, Queens	Egan (received \$3,000)
12/19/2018	\$2,500	Park Side in Corona, Queens	Hill (received \$2,500)
3/1/2019	\$3,000	Parkside in Corona, Queens	Hill (received \$3,000) Kraft (received \$3,000)
4/5/2019	\$2,000	Park Side in Corona, Queens	Hill (received \$2,000) Kraft (received \$2,000)
5/10/2019	\$3,000	Dodici in Rockville Centre, Long Island	Hill (\$2,000) Egan (received \$2,000)
8/6/2019	\$2,000	Castaway's in Long Beach, Long Island	Hill (received \$2,000) Kraft (no bribe received)

9/11/2019	\$3,000	Park Side in Corona, Queens	
10/21/2019	\$2,500	Park Side in Corona, Queens	
11/4/2019	\$2,500	Dodici in Rockville Centre, Long Island	
12/17/2019	\$2,500	Bryant & Cooper in Roslyn, Long Island	
1/13/2020	\$2,500	Park Side in Corona, Queens	Roche (received \$2,500)
2/10/2020	\$2,500	Blackstone in Melville, Long Island	
3/13/2020	\$3,000	Trattoria Vivolo in Harrison, New York	
5/15/2020	\$2,500	9W Market in Palisades, New York	Hill (received \$1,000)
5/21/2020	\$2,500	9W Market in Palisades, New York	
6/12/2020	\$2,500	The Ugly Duckling in Long Beach, Long Island	Hill (received \$1,000)
6/30/2020	\$2,500	Cahill's home in Long Beach, Long Island	
8/19/2020	\$2,000	Laurel Diner in Long Beach, Long Island	Hill (received \$1,000) Gipson (received \$1,000)
8/27/2020	\$1,000	9W Market in Palisades, New York	
9/30/2020	\$1,000	Park Side in Corona, Queens	

Paragraph 30. Paragraph 30 contains one instance in which Employer-1's last name (which is misspelled) is used. It appears right before the quote: "I'm gonna say it, I don't care if it's a fuckin' lie" The Government requests that the name be changed to "Employer-1," consistent with the rest of the PSR.

Paragraph 31. The quotation "You want everybody to hate you because when they hate you, they're going to come to me" should read "You want everybody to hate you because when they hate you, they're going to come for you."

* * *

The Government requests no other changes to the PSR, but notes the following:

First, as noted in the Government's sentencing submission, there are minor discrepancies between the recordings/transcripts that the Government reviewed in preparing its submission and the quotations in the PSR. For example, paragraph 20 of the PSR has the following quote: "I need a guy in there. I need a rabbi in particular, working for 638. I need everybody to know to talk to you and then talk to me." In the Government's submission, this quote is given as: "Yeah, but I need a guy in there. I need a rabbi in particular working for 638. I need everybody to talk to you

and to me.” The Government does not believe these de minimis discrepancies necessitate changes to the PSR.

Second, the Government’s sentencing submission expands on quotations that appear in the PSR and includes excerpts from recordings not included in the PSR. In the Government’s view, quotations that appear in the Government’s submission are properly part of the sentencing record and may be relied on by the Court without being reproduced in the PSR. See United States v. Santiago, 330 F. App’x 234, 237 (2d Cir. 2009) (noting that sentencing court properly relied on undisputed facts “contained in either the Presentence Report (“PSR”) or in the government’s letter of January 18, 2008”). The same is true of accurate quotations that appear in the defense’s submission.

Given the volume of pertinent quotations, inclusion of all the quotes may substantially lengthen (and reduce the readability of) the PSR. Of course, the Government is prepared to propose specific revisions to the PSR to incorporate all of the quotes if that is the Court’s preference.

Third, the Government did not request, and is not currently requesting, that facts pertinent to the defendant’s relationships with organized crime figures—such as Mileta Miljanic, Louis Filippelli, and Andrew Campos—be included in the PSR. In the Government’s view, these facts are primarily relevant to the defendant’s history and characteristics under 18 U.S.C. § 3553(a), rather than to the offense conduct described in the PSR. If it is the Court’s preference that the PSR include such facts, the Government is prepared to propose appropriate language.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

by: /s/
Jason Swergold / Danielle Sassoon / Jun Xiang /
Frank J. Balsamello / Marguerite Colson
Assistant United States Attorneys
Laura de Oliveira, Special Assistant United States
Attorney

CC (BY ECF)

Sanford Talkin, Esq.
Noam Greenspan, Esq.